

Introduced by Senator Migden

March 2, 2006

An act to add Section 25351.05 to the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

SB 1842, as introduced, Migden. Sports stadium project validation.

Existing law authorizes the board of supervisors of a county to construct, expand, lease, build, rebuild, furnish, refurnish, or repair buildings for various public purposes, including, a stadium, coliseum, sports arena, or sports pavilion, or other building for holding sports events, athletic contests, contests of skill, exhibition, spectacles, and other public meetings. Existing law sets forth the procedures pursuant to which a public agency may bring or respond to an action in the superior court to determine the validity of matters undertaken by the public agency and generally authorized to be determined by the court.

This bill would authorize a city and county in which a proposed sports stadium project is located to bring an action at any time, whether before or after final approval of the proposed sports stadium project, to determine the validity of any sports stadium project matter, as specified.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 25351.05 is added to the Government
- 2 Code, to read:
- 3 25351.05. (a) This section shall be known and may be cited
- 4 as the "Sports Stadium Project Validation Procedure."

1 (b) As used in this section, the following definitions apply:

2 (1) “Sports stadium” means a stadium, arena, pavilion, or
3 other structures or buildings designed and intended primarily for
4 holding professional athletic events, including, but not limited to,
5 football, soccer, baseball, and basketball.

6 (2) “Sports stadium project” means a project that meets all of
7 the following:

8 (A) The project is proposed to be built in whole, or in part, on
9 real property that the city and county owns.

10 (B) The project was the subject of a voter-approved measure.

11 (C) The project involves the proposed development,
12 entitlement, site assembly, operation, maintenance, repair, use,
13 management, and financing of a sports stadium and any related
14 uses, including, without limitation, any residential, commercial,
15 parking, open space, and other mixed-use improvements and
16 infrastructure proposed to be developed in connection with a
17 sports stadium.

18 (3) “Sports stadium project matter” means any interpretation
19 or construction of, or findings or determination of authority
20 relating to, any charter, ordinance, regulation, or other law of a
21 city and county that is made by its legislative body or any other
22 agency, commission, or officer of the city and county, or by the
23 redevelopment agency for the city and county, with respect to a
24 proposed sports stadium project, even if the interpretation,
25 construction, finding, or determination is conditional or has not
26 been given effect in any final approval relating to the proposed
27 sports stadium project. The interpretation, construction, finding,
28 or determination may be set forth in a resolution of the legislative
29 body, agency, board, commission, or redevelopment agency of
30 the city and county, or any other action provided for under any
31 charter, ordinance, regulation, or other law of the city and county
32 or by other applicable law.

33 (c) Notwithstanding Sections 863 and 869 of the Code of Civil
34 Procedure, a city and county in which a proposed sports stadium
35 project is located may, at any time, whether before or after final
36 approval of the proposed sports stadium project, bring an action
37 pursuant to Chapter 9 (commencing with Section 860) of Title 10

- 1 of Part 2 of the Code of Civil Procedure to determine the validity
- 2 of any sports stadium project matter.

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